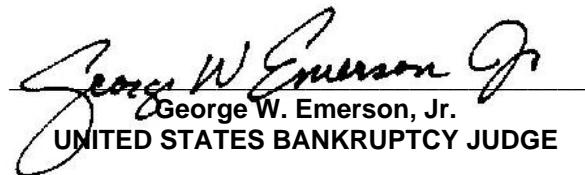




Dated: September 28, 2017
The following is SO ORDERED:


George W. Emerson, Jr.
UNITED STATES BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION**

IN RE:

**TIMOTHY WAYNE KOONCE
DEBTOR(S)**

**17-22528
CHAPTER 13**

**ORDER GRANTING RELIEF FROM THE AUTOMATIC STAY AND CO-DEBTOR
STAY AS TO OCWEN LOAN SERVICING, LLC SERVICER FOR THE BANK OF
NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION FKA THE
BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JPMORGAN
CHASE BANK, AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS,
INC., MORTGAGE ASSET-BACKED PASS-THROUGH CERTIFICATES SERIES
2004-RS8 REGARDING REAL PROPERTY LOCATED AT 7959 MERREL DR,
MILLINGTON, TENNESSEE 38053**

This cause came before the Court upon Ocwen Loan Servicing, LLC as servicer for The Bank of New York Mellon Trust Company, National Association fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank, as Trustee for Residential Asset Mortgage Products, Inc., Mortgage Asset-Backed Pass-Through Certificates Series 2004-RS8 (“Ocwen Loan Servicing, LLC”)’s Motion for Relief from the Automatic Stay of Section 362(d) and 362(e) and Co-Debtor Stay of Section 1301 or in the Alternative Adequate Protection set for

hearing on September 21, 2017. For good cause shown, it is the opinion of the Court that the Motion should be granted.

IT IS THEREFORE ORDERED:

1. That the Automatic Stay of 11 USC 362 and 1301 as to Ocwen Loan Servicing, LLC is dissolved and it is allowed to proceed with its remedy at state law as to the property.
2. That the Trustee will make the necessary adjustments to effectuate this Order including adjusting Debtor's plan payments.
3. That any excess proceeds after a lawful sale of the Property, shall be remitted to the Chapter 13 Trustee for the benefit of the unsecured creditors.
4. That the secured Proof of claim filed by Ocwen Loan Servicing, LLC as Claim No. 6 is disallowed.
5. That Ocwen Loan Servicing, LLC may file a deficiency claim for the balance owed following foreclosure sale within six (6) months of entry of this Order.
6. That attorney fees and costs incurred in furtherance of this action shall be recoverable as against the real property if provided for in the loan documents.
7. That Rule 4001(a)(3) is not applicable and Ocwen Loan Servicing, LLC may immediately enforce and implement this Order Granting Relief From the Automatic Stay.

APPROVED FOR ENTRY:

/s/ Kyle Stewart
Kyle Stewart, Attorney for Creditor, Bar # 33796
kstewart@logs.com | 704-831-2341
Shapiro & Ingle, LLP
10130 Perimeter Pkwy, Suite 400
Charlotte, NC 28216
Phone: 704-333-8107 | Fax: 704-333-8156
Supervisory Attorney Contact: Bonnie Culp
bculp@logs.com | 704-249-0065
Electronic Service Notifications: tnecf@logs.com

/s/ Sylvia F. Brown

Chapter 13 Trustee

Sylvia F. Brown
Chapter 13 Trustee
200 Jefferson Ave. Suite #1113
Memphis, TN 38103
(901)576-1313

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION**

IN RE:

**TIMOTHY WAYNE KOONCE
DEBTOR(S)**

**17-22528
CHAPTER 13**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing and annexed pleading or paper upon:

(Served via U.S. Mail)
Timothy Wayne Koonce
POB 594
Millington, TN 38083

(Served via U.S. Mail)
Tammy D Koonce
7959 Merrel Dr
Millington, TN 38053

(Served via Electronic Notification Only)
Claire D. Reno
The Reno Law Offices
840 Valleybrook Drive
Memphis, TN 38120

(Served via Electronic Notification Only)
Sylvia F. Brown
200 Jefferson Ave. Suite #1113
Memphis, TN 38103

(Served via Electronic Notification, Only)
Office of the U.S. Trustee
One Memphis Place
200 Jefferson Avenue, Suite 400
Memphis, TN 38103

by depositing the same in a postpaid wrapper properly addressed to each such party or his attorney of record in a post office or other official depository under the exclusive care and custody of the United States Postal Service and/or by electronic mail, if applicable.

This the 21st day of September, 2017.

/s/ Kyle Stewart

Kyle Stewart, Attorney for Creditor, Bar # 33796
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